

CHAPTER NO. 190

SENATE BILL NO. 2021

By Fowler

Substituted for: House Bill No. 2002

By Clem

AN ACT to amend Tennessee Code Annotated, Title 62, Chapter 42, relative to the board of employee assistance professionals.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 62-42-106, is amended by deleting subdivisions (1) and (2) in their entirety and by substituting instead the following:

(1) A certificate of license expires on the last day of the twelfth (12th) month following its issuance or renewal, and becomes invalid on such date unless renewed.

(2) Renewal notices shall be mailed ninety (90) days prior to the expiration date of the license. Each applicant shall complete and return a renewal application to the office of the board thirty (30) days prior to the expiration of such license.

SECTION 2. Tennessee Code Annotated, Section 62-42-105, is amended by adding the following new subsections thereto:

(c) Any licensee may retire such licensee's license by submitting a form prescribed by the board accompanied by the current active license certificate and an appropriate fee as established by the board. Upon receipt of an acceptable application to retire, the board shall issue a retired inactive license certificate to the employee assistance professional. The holder of a retired license shall not be entitled to practice as an employee assistance professional until the license has been reinstated.

(d) Any licensee who is not engaged in work or activities which require an employee assistance professional license may apply for a retired license.

(e) A retired license shall be valid for a period of one (1) year from the certificate date. If the inactive licensee wishes to remain inactive for any portion of a subsequent calendar year, the licensee shall pay the appropriate fee as established by the board.

(f) The board shall not refund any of the renewal fee which a licensee may have paid prior to the receipt of the application to retire.

(g) A retired license may be reinstated by submitting an application acceptable to the board, by paying a prorated renewal fee and by fulfilling all other requirements of this chapter. The fee shall be prorated at a rate of twenty-five percent (25%) per quarter year of the current renewal fee.

(h) The retired status of a license shall not bar any disciplinary action by the board against a licensee for any of the causes provided in this chapter.

SECTION 3. Tennessee Code Annotated, Section 62-42-116, is amended by deleting subsection (a) it in its entirety and by substituting instead the following:

(a) Nothing in this chapter shall be construed to prevent qualified members of other professional groups, as defined by the board, including but not limited to, licensed psychologists, licensed psychological examiners, licensed senior psychological examiners, certified psychological assistants or licensed clinical social workers, from doing or advertising that they perform the work of an employee assistance professional consistent with the accepted standards of their profession.

SECTION 4. This act shall take effect on July 1, 2005, the public welfare requiring it.

PASSED: May 5, 2005


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 19th day of May 2005


PHIL BREDESEN, GOVERNOR